

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES PHILLIP DOUGLAS,

Petitioner,

v.

ROBERT MASKO,

Respondent.

No. C09-5439 RJB/KLS

ORDER GRANTING PETITIONER'S  
MOTION FOR EXTENSION OF TIME

This matter comes before the Court on Petitioner's motion for extension of time (Dkt. 49), Petitioner's motion to add/update respondents (Dkt. 50), and on review of the file.

On August 16, 2010, Magistrate Judge Strombom issued her Report and Recommendation regarding Mr. Douglas' petition for habeas corpus. Dkt. 39. On August 26, 2010, Mr. Douglas filed objections to the Report and Recommendation. Dkt. 43. In his objections, Mr. Douglas requested an extension of time to file additional objections due to an apparent transfer between correctional facilities. *Id.* On September 9, 2010, the Court granted Mr. Douglas until October 12, 2010 to file additional objections, if any. Dkt. 45.

On October 14, 2010, Mr. Douglas filed a motion seeking a second extension of time to file his objections. Dkt. 49. Mr. Douglas states that he is once again set to transfer between correctional facilities and therefore requests an extension of time to file his objections. *Id.* In the interest of fairness, Mr. Douglas should be granted an extension of time. However, no additional extensions will be granted absent a showing of extraordinary circumstances.

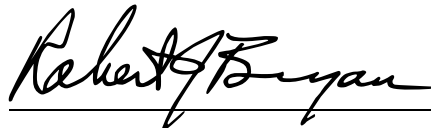
Also on October 14, 2010, Mr. Douglas filed a motion to add or update the respondents in his case. Dkt. 50. In her Report and Recommendation, Magistrate Judge Strombom

1 recommended the substitution of Martha Karr, current Chief of Corrections, for Robert Masko,  
2 the named respondent and former Chief of Corrections. Dkt. 39, at 3. Mr. Douglas requests the  
3 Court to make the changes recommended by the Magistrate Judge. Dkt. 50. Because this issue  
4 is presently before the Court in the Report and Recommendation, the Court will consider Mr.  
5 Douglas' request to update respondents when it considers the Report and Recommendation.  
6 Accordingly, Mr. Douglas' motion to update respondents (Dkt. 50) should be re-noted for the  
7 same day as the initial Objections to the Report and Recommendation (Dkt. 43).  
8

9 Therefore, it is hereby **ORDERED** that:

- 10 (1) Petitioner's motion for extension of time (Dkt. 49) is **GRANTED**. Petitioner is  
11 granted until November 5, 2010 to file additional objections, if any, to the Report  
12 and Recommendation.  
13 (2) The Report and Recommendation (Dkt. 39) is re-noted for November 5, 2010.  
14 (3) Petitioner's motion to update respondents (Dkt. 50) is re-noted for November 5,  
15 2010.  
16 (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for  
17 Respondent and to the Hon. Karen L. Strombom.

18 DATED this 20th day of October, 2010.

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21 ROBERT J. BRYAN  
22 United States District Judge  
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